GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Prohibition & Excise Department –Disciplinary action initiated against Sri U.Srinivas, formerly worked as Chief Manager, IML Depot, Amalapuram (Retired on 31.07.2020) under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Further action dropped - Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.Rt.No.945 **Dated:08.11.2022.**

Read the following:-

1. G.O.Rt.No.1298, Revenue (Vigilance.IV) Department, dt.17.09.2018.
2. WSD dt.10.11.2018 received from the Commissioner, Proh. & Excise through e-File.No.REV04-11030/1/2019-A SEC-COPE.
3. From the Commissioner of Distilleries and Breweries and M.D., APSBCL, Lr.No.A2/055/2012/666, dt.04.08.2022.

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ORDER:

Whereas it was decided to initiate Disciplinary action against Sri U.Srinivas, formerly worked as Chief Manager, IML Depot, Amalapuram (Retired on 31.07.2020) under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991;

2. Whereas the following two charges were framed against him for violation of Rule 3 (1) Andhra Pradesh Civil Services (Conduct) Rules,1964 vide reference 1st read above and directed him to submit his written statement of defense, if any, within (10) days of the receipt of the orders:

Article of charge-I: "Sri U.Srinivas, I/c. Asst. Commissioner of Proh. & Excise while working as Chief Manager, APSBCL, IMFL Depot, Amalapuram from 18-01-2012 to 21-07-2018 committed misconduct by issuing Lr.No.Nil dated 09- 04-2018 to Sri Kusuma Krishna Murthy, Owner of Godown, Amalapuram under hire to depot, indicating the enhancement of depot godown rent from Rs.6/- to Rs.8/- per sft. w.e.f. April, 2016 which is contrary to orders issued by the Managing Director, APSBCL and in violation of provisions contained under Rule 3 (1) of A.P.Civil Services (Conduct) Rules, 1964. Hence the charge."

Article of charge-II: "Sri U.Srinivas, I/c. Asst. Commissioner of Proh. & Excise while working as Chief Manager, APSBCL, IMFL Depot, Amalapuram from 18-01-2012 to 21-07-2018 committed misconduct by submitting arrears claim amount through Lr.No.APSBCL/AMP/Enhanced-Rent/2018, dated 14-04-2018, calculated the diference amount on 15,950 sft. for the period from April, 2016 to March, 2018 as Rs.8,61,300/- which is contrary to the Managing Director, APSBCL orders enhancing from 01-04-2018 which is a violation of Rule 3 (1) of A.P.Civil Services (Conduct) Rules,1964.

Hence, the above charge."

3. And whereas, Sri U.Srinivas, formerly worked as Chief Manager, IML Depot, Amalapuram (Retired on 31.07.2020) has submitted his Written Statement of Defense vide reference 2nd read above, as follows:

For Charge-I: "I submit that I have received the representation of Depot Godown owner Sri Kusuma Krishna Murthy, endorsed by the OSD/G.M. Joint Commissioner of Proh. & Excise, Vijayawada only to enhance the Godown enhanced rate of rent from Rs. 6/- to Rs.8/- per sft. w.e.f. 07.03.2016, dt.24.1.2018. On that representation, drafted a letter to the Managing Director, A.P.State Beverages Corporation Ltd., Prasadampadu, based on the representation of the Godown owner, only I am recommending to enhancement of rent from Rs. 6/- to Rs.8/- subsequent with effect from April, 2016 but I have not competent to propose the enhancement of rent from Rs. 6/- to Rs. 8/- vide Lr., dt.16.3.2018 (copy enclosed). I am not disobedient to the orders."

Contd.,2

For Charge-II: "I submit that as per the representation of the Godown owner only prepared the arrears of rent from April, 2016 to March, 2018 for Rs.8,61,300/- and a detailed report has been submitted dt.16.3.2018 and recommended of rent Rs.6/- to Rs.8/- per sft. only. I have not maintained the owner rent amount in the Budget requirement. I submit that the enhancement of Godown rent enhanced from April, 2018 only, (enclosed vide ref. No.APSBCL/MM/AMP/2017-18/208, dt.16-4-2018, dt.21- 4-2018)."

4. Whereas, the Commissioner, Distilleries and Breweries and M.D., APSBCL forwarded the report of Depot Manager, APSBCL, IMFL Depot, Amalapuram dt.04.08.2022 and as per the D.M.'s report, the charged officer has submitted a report dt.11.05.2018 to MD, APSBCL stating that he has submitted proposals for enhancement of rent w.e.f. April, 2016 only in the interest of Depot Administration, as there was no way to shift the Godown to another place, as there are no constructed godowns available in Amalapuram Revenue Division and that the Rent enhancement was efected w.e.f. April, 2018 only as per the instructions of the M.D., APSBCL. Further, the DM, APSBCL has verifed all vouchers under relevant head of Account for the period from March, 2018 to till date and found that there was no payment of Rs.8,61,300/- made towards enhancement of godown rent and submitted that there was no excess/erroneous payment of Godown rent paid. The Commissioner Distilleries and Breweries and M.D., APSBCL in his Letter reference 3rd read above has therefore stated that as ascertained from the Depot Manager, IMFL Depot, Amalapuram that there was no payment of Rs.8,61,300/- made towards enhancement of godown rent and confrmed that no excess/erroneous payment of godown rent was paid to the godown manager by the then Depot Manager, IMFL Depot, Amalapuram.

5. Whereas it is noticed that the main charge against the Charged Officer is that he submitted proposal to APSBCL for enhancement of godown rent from Rs.6/- to Rs.8/- based on the request made by the godown owner. The Charged Officer in his explanation has stated that he has submitted the proposal since he is not competent authority to enhance the rent. He also submitted that financial commitment was indicated if it is enhanced. It is not arrears bill. No actual bill was submitted and no claim was made in the office. The proposal was submitted based on the request of the godown owner who is always insisting for such enhancement. The MD, APSBCL has reported that no payment was made towards enhancement of godown rent and there is no financial loss to the Corporation. The charged officer was already retired from service on 31.7.2020 on attaining the age of superannuation. The explanation of the Charged Officer is acceptable and satisfactory.

6. Government, after careful examination of the statement of defence of the charged officer satisfied that there is no further cause to proceed with and hereby drop the above charges framed against Sri U.Srinivas, formerly worked as Chief Manager, IML Depot, Amalapuram (Retired on 31.07.2020).

7. The Commissioner, Proh. & Excise/ the Commissioner of Distilleries and Breweries and Managing Director, Andhra Pradesh State Beverages Corporation Limited shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

To
Sri U.Srinivas, formerly worked as Chief Manager, IML Depot, Amalapuram (Retired on 31.07.2020) through the Commissioner, Proh. & Excise Department, Vijayawada(w.e.).
The Commissioner, Proh. & Excise Department, Vijayawada.
The Commissioner of Distilleries and Breweries and M.D., APSBCL, Vijayawada.
Copy to:
The Accountant General of Andhra Pradesh, Vijayawada.
The Directorate of Treasuries & Accounts, Andhra Pradesh, Vijayawada.
The District Treasury Officer, Vijayawada, NTR District.
Sf/sc.

//FORWARDED:: BY ORDER//

R. Vijay Kishore
SECTION OFFICER